

PHILLIP A. TALBERT
Acting United States Attorney
WILLY LE
Acting Regional Chief Counsel, Region X
FREDERICK FRIPPS
Special Assistant United States Attorney
701 Fifth Avenue, Columbia Tower,
Suite 2900 M/S 221A
Seattle, WA 98104-7075
Telephone: (206) 615-3892
Email: frederick.fripps@ssa.gov

Attorneys for Defendant

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION**

LUIS ALBERTO LOPEZ,

Plaintiff,

vs.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

Defendant.

Civil No. 1:21-cv-00394-SKO

**STIPULATION TO VOLUNTARY
REMAND PURSUANT TO SENTENCE
FOUR OF 42 U.S.C. § 405(g) AND TO
ENTRY OF JUDGMENT; ORDER**

(Doc. 17)

IT IS HEREBY STIPULATED by the parties, through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings. Upon remand, the Office of Hearing Operations will remand the case to an Administrative Law Judge (ALJ) to:

- Further consider the opinion evidence;

- Further consider the residual functional capacity;
- Obtain supplemental vocational expert testimony;
- Take any further action needed to complete the administrative record;
- Give Plaintiff an opportunity for a hearing; and
- Issue a new decision.

The parties further request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

Respectfully submitted this 11th day of January 2022.

DATED: January 13, 2022

PHILLIP A. TALBERT
Acting United States Attorney

WILLY LE
Acting Regional Chief Counsel, Region X
Social Security Administration

s/ Frederick Fripps
FREDERICK FRIPPS
Special Assistant United States Attorney

Attorneys for Defendant

DATED: January 13, 2022

s/Frederick Fripps for
FRANCESCO P. BENAVIDES
Attorney for Plaintiff
Authorized via e-mail on January 11, 2022

ORDER

Based upon the parties' foregoing Stipulation and Order to Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand") (Doc. 17), and for cause shown,

IT IS HEREBY ORDERED that the above-captioned action is remanded to the Acting Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand.

The Clerk of Court is hereby DIRECTED to: (1) enter judgment in favor of Plaintiff Luis Alberto Lopez and against Defendant Kilolo Kijakazi, Acting Commissioner of Social Security; and (2) administratively close this file.

IT IS SO ORDERED.

Dated: **January 13, 2022**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE